

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Petitioner,)	
)	Case No. CV-
)	
vs.)	
)	ORDER
)	
Respondents)	

A warrant for the execution of petitioner _____, scheduled for the week of _____, _____, has been issued by the _____ Judicial District Court of the State of Nevada, in and for the County of _____. The scheduled execution shall be stayed.

Petitioner was convicted and sentenced to death on ____ [DATE] _____. His direct appeal was decided by the Nevada Supreme Court on ____ [DATE] ____ and his petition for writ of certiorari to the United States Supreme Court was denied on ____ [DATE] _____. See _____ v. _____, ____ Nev. ____, ____ P.2d ____ (20__), *cert. denied*, ____ U.S. ____ (20__). On ____ [DATE] ____, Petitioner filed a petition for post conviction relief in the state district court, which was denied on ____ [DATE] _____. The Nevada Supreme Court affirmed the denial on ____ [DATE] ____, and certiorari was again denied. See _____ v. _____, ____ Nev. ____, ____ P.2d ____ (20__), *cert. denied*, ____ U.S. ____ (20__). This is Petitioner's first time in federal court after nearly __ years in the state court system.

Petitioner has filed a petition for a writ of habeas corpus in this court alleging that constitutional errors led to his conviction and sentence of death. It appears that Petitioner has exhausted his state court remedies regarding the grounds raised in this proceeding. Accordingly, the scheduled execution shall be stayed until Petitioner has had a reasonable opportunity to have his claims reviewed by the federal courts.

IT IS THEREFORE ORDERED that the warrant for the execution of Petitioner _____ is hereby **STAYED** and the death sentence shall not be inflicted until the petition for writ of habeas corpus pending before this Court is resolved.

This Stay of Execution shall be served upon the Director of the Nevada State Department of Prisons and the Attorney General of the State of Nevada, both by personal service by the United States Marshal's office and by Certified Mail, Return Receipt Requested.

Dated this ____ day of _____.

UNITED STATES DISTRICT JUDGE